a trespasser by one other than the owner of the premises, or on the specific instance of injury to an unlicensed vehicle using a public highway, which accords with its views. This earlier decision is said to be based on the Massachusetts statute, and in so far as there is anything peculiar in that statute not found in the Vermont statute, above cited in its own words, although not quoted, it can not be looked to as authority in the application of the latter statute. Moreover, it is obvious that the prohibition of the Vermont statute against unlicensed automobiles using the public highway, adds nothing to its scope, since the mere requirement that the owner shall take out a license, under penalty, amounts to a prohibition of the use of the highway.

The denial of a remedy for a wrong, because of a violation of a statutory duty, is one of the crudest means which have been or could be devised to compel compliance with the statute, for the simple reason that the penalty bears no proportion to the offense. The instant case well illustrates the argument. The plaintiff might have been killed and his automobile converted into junk by the defendant's negligence, yet under the rule laid down by the Massachusetts court, he and his heirs would have been without remedy, merely because he had put off until the following day the procuring of a license for his machine. The courts, instead of preserving and extending this remnant from the day of trial by ordeal and wager of battle, should restrict it within the narrowest limits, and use their influence to procure its abolition.—National Corporation Reporter.

Liability of Estate for Tort of Administrator.—J. A. Aul at the time of his death was a member of a burial association which by its policy bound itself to furnish him burial to cost not exceeding $100. It failed to do so, and his administrator sued for the amount of the policy and costs. The defense was that the administrator and undertaker had conspired to prevent the association from burying deceased, which injured its standing and membership in the sum of $300, for which amount judgment was prayed. In dismissing an appeal by defendant for want of jurisdiction as involving less than $200, the Court of Appeals of Kentucky in National Co-Operative Burial Ass'n *v.* Aul's Adm'r, 161 Southwestern Reporter, 1123, held that the conduct of the administrator and undertaker was a personal wrong on their part for which the estate was not liable.